

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, September 22, 2015

9:00 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

AGENDA

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **APPROVAL OF AGENDA**
- D. **MINUTES of the meeting(s) of the Planning Commission** (NONE)
- E. **RECEIPT OF ITEMS FOR THE RECORD**
- F. **HEARINGS AND PUBLIC COMMENT** (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
 - 1. **Continued Agency Hearing** (NONE)
 - 2. **New Agency Hearing**
 - a. Special Management Area Use Permit SMA(U)-2016-1, Class IV Zoning Permit Z-IV-2016-2, Use Permit U-2016-2 and Special Permit SP-2016-1 to allow conversion of an existing residence into a homestay operation on a parcel located along the mauka side of Kuhio Highway in Wainiha, situated approx. ¼-mile mauka of the Ananalua Road/Kuhio Highway intersection and further identified as 4636-B Ananalua Road, Tax Map Key 5-8-006:010, and containing a total area of 2.52 acres = **Michael Rodger**. [Director's Report received 9/8/15.]

F. HEARINGS AND PUBLIC COMMENT (Cont'd)

2. New Agency Hearing (Cont'd)

- b. Class IV Zoning Permit Z-IV-2016-1 and Use Permit U-2016-1 to allow conversion of an existing residence into a bed and breakfast operation on a parcel located along the western side of Waha Road within the Shintani Subdivision in Kalaheo, situated approx. 500 ft. makai of the Ulu Alii Street/Waha Road intersection and further identified as 3913 Ulu Alii Street, Tax Map Key 2-3-015:061, and containing a total area of 10,098 sq. ft. = **Monica Jean Adams-Hansen Trust**. [Director's Report received 9/8/15.]
 - 1. Supplemental No. 1 Director's Report pertaining to this matter.
- c. Class IV Zoning Permit Z-IV-2015-38 and Use Permit U-2015-37 to allow conversion of an existing residence into a homestay operation on a parcel located along the southern side of Aka Road in Lawai, situated approx. 500 ft. east of the Hailima Road/Aka Road intersection and further identified as 3922 Aka Road, Tax Map Key 2-6-013:026, and containing a total area of 8,050 sq. ft. = **Patrick & Judy Mahon**. [Hearing postponed 7/28/15 due to applicant's failure to meet notification requirement. Reattaching: Director's Report received by Clerk of the Commission 7/14/15; Supplement No. 1 Director's Report and Addition to 7/28/15 Agenda received by PC 7/28/15, Reattachments received 9/8/15.]
 - 1. Supplemental No. 2 Director's Report pertaining to this matter.
- d. Special Management Area Use Permit SMA(U)-2015-9 to construct an additional dwelling unit (ADU) on a parcel located along the mauka side of Kuhio Highway in Wainiha, situated approx. 300 ft. mauka of the Ananalua Road/Kuhio Highway intersection, further identified as 4541 Ananalua Road, Tax Map Key 5-8-006:065, and containing a total land area of 1.156 acres = **Chuck Linebaugh**.
 - 1. Director's Report pertaining to this matter.
 - 2. Supplemental No. 1 Director's Report pertaining to this matter.

3. Continued Public Hearing

- a. A-2015-1: Request for State Land Use District Boundary Amendment from Agricultural District to Rural District.
- ZA-2015-6: Request for County Zoning Amendment from Agriculture District (A) to Residential District (R-1).
- Location: Kalaheo, Kauai. Located along the western side of Pu'u Road, approx. a quarter (1/4) mile west of the Pu'u Road/Papalina Road intersection and immediately adjacent to property identified as 2205 Pu'u Road, and containing a total area of 3.26 acres. Tax Map Key (4) 2-3-004: 006 = **Gregory R. Kingsley, et al.**
[Director's Report received and hearing continued 7/28/15, hearing continued 8/25/15.]
 - 1. Request (9/15/15) for a two week deferral for subject permits from Jennifer Cole-Conner.

4. New Public Hearing (NONE).

G. CONSENT CALENDAR

1. **Status Reports** (NONE)
2. **Director's Report(s) for Project(s) Scheduled for Agency Hearing, October 13, 2015.** (NONE)

H. EXECUTIVE SESSION (NONE)

I. GENERAL BUSINESS MATTERS

1. Amendment to Class IV Zoning Permit Z-IV-2014-12, Use Permit U-2014-11 and Variance Permit V-2014-3 pertaining to Condition No. 7 that would allow additional time to complete construction of a cellular telecommunications facility, Tax Map Key (4) 3-4-005: 018, Puhi, Kauai = ***Verizon Wireless***.
 - a. Director's Report pertaining to this matter.

J. COMMUNICATION (For Action) (NONE)

K. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

L. UNFINISHED BUSINESS (For Action)

1. Letter (7/13/15) from Max Graham, Esq., confirming next status report for SMA(U)-2008-5, Use Permit U-2008-4 and Class IV Zoning Permit Z-IV-2008-6 in the matter of ***Charles Somers, as Trustee of the Charles Somers Living Trust dated November 12, 2002, and West Sunset 32 Phase 1 LLC*** is scheduled for September 22, 2015.
 - a. Letter (9/14/15) from Max Graham, Esq., requesting deferral for the Planning Commission's review of the seventh annual Status Report for above-referenced subject matter.
2. Special Management Area Use Permit SMA(U)-2015-10, Class IV Zoning Permit Z-IV-2015-42, Use Permit U-2015-41 to allow conversion of an existing guest house into a bed and breakfast operation on a parcel located along the makai side of Aliomanu Road in Anahola, situated approx. $\frac{3}{4}$ mile makai of its intersection with Kuhio Highway, further identified as 4760 Aliomanu Road, Tax Map Key 4-8-013:007, and containing a total area of 11,481 sq. ft. = ***Karen Hillstrom***. [Director's Report received 8/11/15, hearing closed and matter deferred 8/25/15, deferred 9/8/15.]
 - a. Letter (9/2/15) from Karen Hillstrom withdrawing her above-referenced application.

M. NEW BUSINESS

1. **For Action – See Agenda F for Project Descriptions**

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawai'i 96766 on **Tuesday, September 22, 2015.**

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050

KAUAI PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
Lihue Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Hawai‘i 96766

Tuesday, September 22, 2015, 8:30 A.M.

AGENDA

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **APPROVAL OF AGENDA**
- D. **MINUTES of the meeting(s) of the Subdivision Committee**
- E. **RECEIPT OF ITEMS FOR THE RECORD**
- F. **HEARINGS AND PUBLIC COMMENT**

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

- G. **GENERAL BUSINESS MATTERS**
- H. **UNFINISHED BUSINESS**
- I. **NEW BUSINESS (For Action)**

- 1. **Tentative Subdivision Action**
 - a. Subdivision Application No. S-2016-2
(Kukui‘ula Development Co. (Hawai‘i) LLC.)
Proposed 29-lot Subdivision
TMK: (4) 2-6-015:014
Kukui‘ula, Kōloa, Kaua‘i

- 1. Subdivision Report pertaining to this matter.

I. NEW BUSINESS (For Action) Continued

1. Tentative Subdivision Action (Cont'd)

- b. Subdivision Application No. S-2016-3
(Judith C. Page Trustee, et. al.)
Proposed 2-lot Consolidation
TMK: (4) 1-9-002:025
Hanapēpē, Kauaʻi

- 1. Evaluation & Recommendation pertaining to this matter.

2. Final Subdivision Action

- a. Subdivision Application No. S-2006-49
(Kenneth Souza Jr./Kenneth Souza Trust)
Proposed 3-lot Subdivision
TMK: (4) 2-7-006:006, 129
ʻŌmaʻō, Kauaʻi

- 2. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

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